

EXHIBIT A

From: [Matthew Gurgel](#)
To: [Martin, Bill](#); [Gregory J. Dubinsky](#); [Andrew C. Indorf](#)
Cc: [Rudzin, Abby F.](#); [Quinn, Brian P.](#); [Aditi Shah](#); [Pollack, Alan](#); [Filardo, Thomas](#); [Ennis, Felicia](#); [Thumim, Leron](#); [James Wes Christian](#); [Ardalan Attar](#)
Subject: RE: Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al., 1:21-cv-00761-LGS (S.D.N.Y.)
Date: Monday, May 20, 2024 9:49:38 PM

Bill, I'm writing to follow up on the emails below. Do you have an ETA on when you will have a response to our email from last Wednesday?

Thanks,
Matt

Matthew Gurgel | he/him/his/himself
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Office: (646) 837-5137 | Mobile: (347) 414-3076 | [Bio](#)
425 Lexington Ave | New York, New York 10017 | [hsgllp.com](#)

From: Martin, Bill <wmartin@omm.com>
Sent: Friday, May 17, 2024 7:25 PM
To: Gregory J. Dubinsky <gdubinsky@hsgllp.com>; Andrew C. Indorf <aindorf@hsgllp.com>
Cc: Rudzin, Abby F. <arudzin@omm.com>; Quinn, Brian P. <bquinn@omm.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Aditi Shah <AShah@hsgllp.com>; Pollack, Alan <APollack@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Ennis, Felicia <FEnnis@wbny.com>; Thumim, Leron <lthumim@wbny.com>; James Wes Christian <jchristian@christianattarlaw.com>; Ardalan Attar <aattar@christianattarlaw.com>
Subject: RE: Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al., 1:21-cv-00761-LGS (S.D.N.Y.)

Greg, we are looking into both issues you raise below, but I cannot give you an ETA yet on when we will have any information.

William J. Martin
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C: +1-917-582-2461
wmartin@omm.com

From: Gregory J. Dubinsky <gdubinsky@hsgllp.com>
Sent: Friday, May 17, 2024 12:17 AM
To: Martin, Bill <wmartin@omm.com>; Andrew C. Indorf <aindorf@hsgllp.com>
Cc: Rudzin, Abby F. <arudzin@omm.com>; Quinn, Brian P. <bquinn@omm.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Aditi Shah <AShah@hsgllp.com>; Pollack, Alan <APollack@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Ennis, Felicia <FEnnis@wbny.com>; Thumim, Leron <lthumim@wbny.com>; James Wes Christian <jchristian@christianattarlaw.com>; Ardalan Attar <aattar@christianattarlaw.com>
Subject: Re: Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al., 1:21-cv-00761-LGS (S.D.N.Y.)

[EXTERNAL MESSAGE]

Bill, I write to follow up. Please respond promptly.

Gregory J. Dubinsky

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From: Gregory J. Dubinsky <gdubinsky@hsgllp.com>

Sent: Wednesday, May 15, 2024 11:34 AM

To: Martin, Bill <wmartin@omm.com>; Andrew C. Indorf <aindorf@hsgllp.com>

Cc: Rudzin, Abby F. <arudzin@omm.com>; Quinn, Brian P. <bquinn@omm.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Aditi Shah <AShah@hsgllp.com>; Pollack, Alan <APollack@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Ennis, Felicia <FEnnis@wbny.com>; Thumim, Leron <lthumim@wbny.com>; James Wes Christian <jchristian@christianattarlaw.com>; Ardan Attar <aattar@christianattarlaw.com>

Subject: Re: Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al., 1:21-cv-00761-LGS (S.D.N.Y.)

Sorry, that should read “whether Merrill will make inquiries.”

Gregory J. Dubinsky

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From: Gregory J. Dubinsky <gdubinsky@hsgllp.com>

Date: Wednesday, May 15, 2024 at 11:32 AM

To: Martin, Bill <wmartin@omm.com>; Andrew C. Indorf <aindorf@hsgllp.com>

Cc: Rudzin, Abby F. <arudzin@omm.com>; Quinn, Brian P. <bquinn@omm.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Aditi Shah <AShah@hsgllp.com>; Pollack, Alan <APollack@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Ennis, Felicia <FEnnis@wbny.com>; Thumim, Leron <lthumim@wbny.com>; James Wes Christian <jchristian@christianattarlaw.com>; Ardan Attar <aattar@christianattarlaw.com>

Subject: Re: Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al., 1:21-cv-00761-LGS (S.D.N.Y.)

Bill:

Thanks for the information you provided.

After receipt of your email, we conducted further analysis and have located a tiny fraction of orders that contain odd-lot sizes (less than 1% of the total market events). We are still puzzled by this seeming aberration. Please let us know whether Merrill make inquiries into this issue and, if so, by when we can expect a response.

We note that you chose not to respond to our request below regarding account IDs. After further analysis, we understand that at least 1.4 million market events are seemingly missing account IDs. These events are attributable to 6 client IDs, which we can provide you. We do not understand why the data lack account IDs for so many market events. Please let us know whether Merrill make inquiries into this issue and, if so, by when we can expect a response.

As for your requests for examples, I do not understand what you are requesting in relation to the foregoing. That said, please see attached what we understand to be an exemplar Merrill Nasdaq order that was hidden [REDACTED]. I provide this in good faith even though you have refused to look into this issue.

Thanks,
Greg

Gregory J. Dubinsky
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From: Martin, Bill <wmartin@omm.com>

Date: Tuesday, May 14, 2024 at 11:00 AM

To: Gregory J. Dubinsky <gdubinsky@hsgllp.com>, Andrew C. Indorf
<aindorf@hsgllp.com>

Cc: Rudzin, Abby F. <arudzin@omm.com>, Quinn, Brian P. <bquinn@omm.com>, Matthew Gurgel <mgurgel@hsgllp.com>, Aditi Shah <AShah@hsgllp.com>, Pollack, Alan <APollack@wbny.com>, Filardo, Thomas <TFilardo@wbny.com>, Ennis, Felicia <FEnnis@wbny.com>, Thumim, Leron <lthumim@wbny.com>, James Wes Christian <jchristian@christianattarlaw.com>, Ardalan Attar <aattar@christianattarlaw.com>

Subject: RE: Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al., 1:21-cv-00761-LGS (S.D.N.Y.)

Greg,

For the three bullet points in your May 12 email about Merrill's data, as well as Harrington's May 7 request that Merrill identify which orders were "instructed to be hidden," it is difficult to ascertain exactly what you're describing based on your emails or what you said during our meet-and-confer on May 10. During our meet-and-confer, I suggested that you provide examples from Merrill's data that you believe illustrate the issues you are raising so that we can better understand Harrington's requests. I don't believe we have received those